

Exhibit 4

JH - 09.15.21.

Torres, Anicia (ATorres7)

From: Kinder, Laura (LKinder)
Sent: Monday, June 17, 2019 1:42 PM
To: Balli, Virginia (VBalli); Boyd, Adele (ABoyd2); Gibbons, James (JGibbons); Gove, Scott (SGove); Greenway, Casey (CGreenwa); Hudson, Brittany (BHudson1); Logue, James (JLogue); Ruiz, Patricia (PRuiz1); Salazar, Joe (JSalaza3); Torres, Anicia (ATorres7)
Cc: Curaspan Referrals
Subject: FW: ::EXTERNAL:: You have an updated referral with a status of Cancelled *Redacted*
Redacted

Redacted

Redacted 06/17/2019 02:35 PM
 Status updated to Cancelled

From: Notification@naviHealth.us [mailto:Notification@naviHealth.us]
Sent: Monday, June 17, 2019 2:36 PM
To: Curaspan Referrals <CuraspanReferrals@HEADQUARTERS.local>
Subject: ::EXTERNAL:: You have an updated referral with a status of Cancelled

St. David's Medical Center

919 E 32ND ST
 AUSTIN, TX 78705
 Phone (512) 476-7111

www.stdavids.com/locations-facilities/st-davids-medical-center.aspx

**Notification Update for Lincare - Austin,
TX**

Updated: 2019/06/17 14:35:38

Update: *Redacted* at St. David's Medical Center has updated the status of the referral for DME Supplier Level of Care for patient RIV, E to Cancelled. The case owner is *Redact*
Redacted

Sent by: *Redacted*

If you received this in error, please call Kathy Stephens at (512) 466-9249 or e-mail at kathy.stephens@hcahealthcare.com to arrange for the return or destruction of the information and all copies.

[Login to view this referral](#).

About this notification: St. David's Medical Center uses naviHealth patient-transition management tools to identify and

Torres, Anicia (ATorres7)

From: Boyd, Adele (ABoyd2) →
Sent: Monday, June 17, 2019 11:40 AM
To: Cesar, Guerline (GCesar)
Cc: Torres, Anicia (ATorres7) → **Redacted**
Subject: RE: ***NEW CURASPAN REFERRAL***

I am not sure what they are trying to order, I looked through all of the chart notes earlier and did not see anything about 02. If you find out who the case manger is I will call them and ask!

From: Cesar, Guerline (GCesar)
Sent: Sunday, June 16, 2019 2:37 PM
To: Balli, Virginia (VBalli); Boyd, Adele (ABoyd2); Gibbons, James (JGibbons); Gove, Scott (SGove); Greenway, Casey (CGreenwa); Hudson, Brittany (BHudson1); Logue, James (JLogue); Ruiz, Patricia (PRuiz1); Salazar, Joe (JSalaza3); Torres, Anicia (ATorres7)
Cc: Curaspan Referrals
Subject: ***NEW CURASPAN REFERRAL*** → **Redacted**

Redacted



- **DOB:** **Redacted** 73 yr)
- **Home Address:**
Redacted
- ---
- **Redacted**
- **Redacted**
- **Redacted**
- **Referral Source:** **Redacted**
- **MRN:** **Redacted**)
- **Account #:** **Redacted**
- **Location:** **Redacted**

Patricia (Sue) Ruiz, CSR -

June 20, 2019

I let Sue know I was conducting an investigation and anything we discussed was confidential. I told her she could not discuss our conversation or this situation with anyone else.

I asked her to tell me her thoughts on what transpired yesterday morning.

All in a meeting and mine was will Elle. I didn't appreciate her sending email to Mike and throwing me under the bus. I do your work but you didn't even send it to Casey first.

Now, I don't want to talk to you, send it to email. I thought we were better friends than that. You don't even know what is going on. We need to work together; I don't trust you anymore, we are not friends anymore, we will just work together.

Ellie said she was sorry; didn't know she was doing anything wrong.

Brittany said I didn't think the email would cause a problem, we were talking about all scripts. You can come to us we told them. Brittany and I were pretty cool,

Casey told them; look ladies, you have to use the chain of command. They said I understand.

Brittany had an excuse about everything, Anicia said we do all your work. Britany said you have said the N word and Anicia said, I won't say it anymore You won't say it anymore. Don't tell me what to say.

Did anyone call anyone names today? Brittany said the N work that Anicia had said 2 other times before.it happened so quick. I really didn't If there was I didn't hear it.

Did you call anyone a bitch? -----*pause in conversation; silence-----*, I don't know if I did or not. I'm not going to say I did but I'm not going to deny it, so hard to think. It really got heated.

Did you send her an email apologizing? No, ma'am.

I did apologize when we were in the room. I told her I'm sorry but you upset and betrayed me.

Did you hear anyone else use the B word? I think Anicia did but I'm not sure. It never should have gotten to this point but it got out of control.

I don't like being betrayed. I told Casey, I want her to know that she is not bringing work in and she does not get orders back when I give them to her.

Nothing happened like this before Brittany came in.

I feel how you betrayed me and

I thanked Sue for talking to me and reminded her again our conversation must be kept confidential. I reminded her about the anti-retaliation policy and explained to her the result was termination if anyone felt they had been retaliated against. I told her it was best if she just forgot we had a conversation.

Lichtenberg, Juanita (jlichten)

From: Ruiz, Patricia (PRuiz1)
Sent: Friday, June 21, 2019 10:08 AM
To: Lichtenberg, Juanita (jlchten)
Subject: RE: Re: Confidential Conversation

ON Thursday morning the csr and sales lady had a meeting, it got a little heated . I told Adele that I was upset with her cause she sent an email to mike that was not true and if she needed to know something come in the office and ask. I told her that from now on I have nothing to say to her that she can email me if she needed to know anything about her orders and that I have no trust in her at all after all I did for her. I was a little rude but I was really hurt that she would lie on me. The other sales lady Brittney would chime in when we say something about there work, but it has been issues since she got here. Brittney told the other csr person that she had said the n word two times and she told you will not say that again, the crs told her sorry if It offends you I wont say it around you anymore and that shes sorry but then Brittany said no your not going to say it in general , Anicia got upset and said she would not tell her what to say outside of work and then she got up and left.

From: Lichtenberg, Juanita (jlchten)
Sent: Friday, June 21, 2019 8:12 AM
To: Ruiz, Patricia (PRuiz1)
Subject: RE: Re: Confidential Conversation

Sue, could you please put your statement in writing this morning regarding the incidents of yesterday? Just send me an email with as much detail as you can remember about the event yesterday.

Thank you,

Juanita Lichtenberg
HR Business Partner



Lincare
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jlchten@lincare.com, www.lincare.com

From: Ruiz, Patricia (PRuiz1)
Sent: Thursday, June 20, 2019 5:14 PM
To: Lichtenberg, Juanita (jlchten) <JLichten@LINCARE.com>
Subject: RE: Re: Confidential Conversation

Yes I will call you in three mins

From: Lichtenberg, Juanita (jlchten)
Sent: Thursday, June 20, 2019 4:02 PM
To: Ruiz, Patricia (PRuiz1)
Subject: RE: Re: Confidential Conversation

Actually, would you have a few minutes now? I just realized it is 4:00 your time.

If you would rather tomorrow, could we do it about 9:30 your time?

Juanita Lichtenberg
HR Business Partner



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jlichten@lincare.com, www.lincare.com

From: Ruiz, Patricia (PRuiz1)
Sent: Thursday, June 20, 2019 5:00 PM
To: Lichtenberg, Juanita (jlichten) <JLichten@LINCARE.com>
Subject: RE: Re: Confidential Conversation

Yes what time would you like for me to call?

From: Lichtenberg, Juanita (jlichten)
Sent: Thursday, June 20, 2019 3:53 PM
To: Ruiz, Patricia (PRuiz1)
Subject: Re: Confidential Conversation

Sue,

Would you be able to call me in the morning when you have a minute to talk freely? I will only take a few minutes of your time.

Also, your manager is aware I will be talking to you but please don't discuss it with anyone else.

Thank you,

Juanita Lichtenberg
HR Business Partner



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jlichten@lincare.com, www.lincare.com

Lichtenberg, Juanita (jlichten)

From: Adele Boyd <adeledunboyd23@gmail.com>
Sent: Monday, June 24, 2019 10:48 PM
To: Lichtenberg, Juanita (jlichten)
Subject: ::EXTERNAL:: Adele Boyd

Categories: Blue Category

***** Please note the message below originated on the Internet. Please use caution when replying or opening links or attachments. *****

I want to start off by stating how much I enjoy my job, love being out in the field selling and promoting Lincare. I truly believe in Lincare, my respiratory therapists and helping patients. I like to keep everything professional, cordial and friendly. But I am working in a hostile environment and concerned that I will be facing consequences for speaking up about it.

I went to our VP so I could try and fix the situation with what's happening to our hospital discharges, wanted to create a sense of urgency so I can get our numbers up, turn the Lincare office around in Austin and so everyone can also keep their jobs and be happy but to be honest we have a lack of communication and respect.

Ever since I have started working at lincare the csr's mistreated me by being verbally abusive, accusing me of not doing my job, talking behind my back excessively to where Scott our RT was sick of them putting me down he had to tell them to stop being so hard on me. They would boss me around in an unprofessional manner. They always seemed agitated with my whenever I asked a question and was trying to learn everything at once whenever I first started.

I was going through a bad depression because of how I was being treated by my area manager tina who gave me bad advice, screaming at me telling me how bad of a person I was and etc. the girls in the office were acting unsupportive, toxic, combative, towards me in the office and since I was the only sales rep made it really hard to work with together since they were so spiteful and negative towards me and even to some of my accounts, which I have had to apologize numerous times on their behalf.

When Brittney switched over to the office, they shifted all of their hostile energy on her. She pointed out everything that was going on in the office, how we need to be a team, nicer on the phones, and put a plan in place but they csr's did not want to listen. They told Brittney that I was stupid, incompetent, ditzy, not all there, doesn't work, and would make fun of me behind my back. The csr's were belittling brittney, making rude and natsy comments and acting catty.

Patrica our CSR was hostile towards me on our meeting on Thursday. She said "how dare you tell our VP we aren't doing our jobs, I thought we were closer than that and thought we were friends but you're awful," and said I am "a little fucking bitch," and she "couldn't wait to talk to our VP," that my "orders are shit, little missy." This is extremely inappropriate for any type of work environment. I am grateful for my coworker Brittany, who said "please do not talk to Ellie or any coworker like that, I am tired of the hostile environment, getting beat down and you guys being so negative towards us". Another coworker used racial slurs and cited "freedom of speech" and that she has black friends so was validating that it was okay to say the n word. She has also told Brittany "she sucks as a sales rep," "doesn't do anything," "transferred three times because she sucks

and isn't successful anywhere," "what is your problem you're a seasoned rep," I have been documenting instances of inappropriate and hostile comments all year.

Patricia said that my orders are "SHIT", they "come back half way done", and that I upset her so much that she walked out twice asking her husband if she can just quit because of me.

I over heard Patricia saying that they aren't going to process Britney's orders because they "don't like her". We are keeping track of what's coming in but have heard they still delete stuff off of the indexer and have sent some to a home competitor. Patricia has she was "disgusted" with me and told me she will not talk to me, to not get close to her and to only email her when I need something. Now I am concerned my orders will not get processed.

Overall there is a problem with the culture here and I want to resolve this instead of moving on to another company. I am hoping that there can be steps to remedy this ongoing situation so that is why I am writing this email and documenting everything that's going on.

Today 06/24/19 during the Monday morning meeting Patricia was whispering underneath her breath laughing which I thought was unprofessional, cold and hurtful considering what happened last week, she was being petty and spiteful.

Lichtenberg, Juanita (jlchten)

From: Gove, Scott (SGove)
Sent: Tuesday, July 09, 2019 9:18 AM
To: Lichtenberg, Juanita (jlchten)
Subject: RE: Re: Comments

I mentioned this to her yes. Whether she fully understood what happened and in the context it happened I do not know.

From: Lichtenberg, Juanita (jlchten)
Sent: Tuesday, July 09, 2019 6:32 AM
To: Gove, Scott (SGove)
Subject: RE: Re: Comments

Scott, one more question. Did you make your manager aware when this happened?

Thank you,

Juanita Lichtenberg
HR Business Partner



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jlchten@lincare.com, www.lincare.com

From: Gove, Scott (SGove)
Sent: Monday, July 08, 2019 12:56 PM
To: Lichtenberg, Juanita (jlchten) <JLichten@LINCARE.com>
Subject: RE: Re: Comments

Im not exactly sure on the date. The FEDEX man heard it also and whoever that was working the front.

From: Lichtenberg, Juanita (jlchten)
Sent: Monday, July 08, 2019 11:21 AM
To: Gove, Scott (SGove)
Subject: RE: Re: Comments

Scott, would there be any way you could pin point the day exactly or let me know who else witnessed the statement?

Thank you,

Juanita Lichtenberg
HR Business Partner



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jlchten@lincare.com, www.lincare.com

From: Gove, Scott (SGove)
Sent: Monday, July 08, 2019 11:58 AM
To: Lichtenberg, Juanita (jlichten) <jlichten@LINCARE.com>
Subject: RE: Re: Comments

During the last week of June on or about the 24th or 25th of June I overheard my fellow employee Sue Ruiz use the term "Aunt Jemima" when referring to our Saleswomen Brittany. I told her that that was inappropriate behavior but she insisted that she was only joking. I said that that is not a term that should be used in any context. She did apologize and told me that she would not use that word again. Scott Gove Austin

From: Lichtenberg, Juanita (jlichten)
Sent: Monday, July 08, 2019 9:37 AM
To: Gove, Scott (SGove)
Subject: Re: Comments

Scott, it has been brought to my attention that you may have heard something last week that was inappropriate office conduct. I would appreciate it if you could call me so we can discuss. I assure you that your name will not be used in anything but I do need to have the information confirmed or denied.

Thank you,

Juanita Lichtenberg
HR Business Partner



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Adele Boyd (Ellie)

Sales Rep – Austin Texas

Interview – June 20, 2019

I enjoy my job and enjoy being in the field and selling for Lincare. I am a therapist too. I like to keep things professional but I feel I have been working in a hostile work environment. I don't like going into the office but don't want to go in there today.

Basically what happened on Monday, I wrote an email to Mike Potter, he is very friendly and I look at him like a mentor because my manager is out of the office and it is hard to get in touch with her, because she is busy. I realize I shouldn't have gone to him first. The hospital discharges we weren't notified about it had been 48 hours what should we do. The CSR's were upset because they felt I was telling on them because they weren't doing their job. I admit I should have asked them first but when Virginia processes orders she always tells me if a hospital discharge is in the system. I understand they thought I was telling on them but didn't think of it when I sent the email.

I am clinically diagnosed with ADHD, I learn differently than others, when people make me nervous, I think the girls make me nervous. When I started they called me stupid. Brittany heard them call me stupid, and that really hurts my feelings. When I first started out. I didn't have any training and no one was helping me out. Now I understand my job but I have to write things down they can't say hey; just get this done. I didn't want to go to HR because they were talking behind my back. The AM we had at the time, her management style was a negative reinforcement. She was kind of like a bully. Who was that? Tina Avera. I was going through a depression and now I am good and feel good.

Had a meeting on Monday with CSR, Sales and Manager. I knew what happened and I was anxious and Sue started yelling at me and then I kind of blacked out, my heart was racing. They verbally attacked me and called me a bitch. She was being unprofessional. She said you are a "f" ing bitch.

Brittany was very professional she said ever since I've started here we don't like the way you treat us and Brittany said I don't want you to say the N word. I have heard it once; it was Anicia. Maybe two weeks ago. Anicia said I have freedom of speech I can say what I want. I have black friends. That made me uncomfortable. She does make me uncomfortable even though she is a good CSR. She is rude to people on the phone, my hospital case manager has said she was rude over the phone when talking to her. She also said Elle, you should check your shit, you are all over the place. Basically telling me I was dumb. She then said she was way more valuation to the company and we are not. That upset me because I don't think they know what we do out in the territory. She said to Brittany, I don't think you work, you are an office sales rep and you hop from location to location and when things go wrong you transfer. Brittany said I moved closer to home because my grandfather died. Anicia shouldn't have said that to her.

I was like having a panic attack and I literally blacked out and I don't remember anything more than Anicia said. She kept going but I can't say what she said.

Did you hear Anicia call anyone a name? I think she called Brittany a name but I don't remember what she called her.

Virginia has been great, she is a CSR and works really hard.

I overheard the CSR's that said big, black and loud, maybe 2 months ago. Do you know what context it was in? It was referring to Brittany; they don't like her. I heard them talking about her and her work and coming in and asking for orders. They are annoyed with her.

I don't like when people put me in the middle of things. If something is to be said they should go to Casey.

Lichtenberg, Juanita (jlichten)

From: Torres, Anicia (ATorres7)
Sent: Friday, June 21, 2019 3:47 PM
To: Lichtenberg, Juanita (jlichten)
Subject: RE: Re: Confidential Conversation
Attachments: New Scan 145233.pdf

6/19/2019 an email from one of our sales rep (Adele Boyd) to Mr. Mike Potter was brought to mine along with another CSR's (Patricia) attention regarding that we CSR's pretty much don't let our sales rep's know when they have hospital discharges. On 6/20/2019 around 11:00 a.m. a meeting between our Center Manager Casey, our 2 sales reps Brittany and Adele along with Patricia and myself. The meeting definitely did not go as planned or as we would have hoped. There was no resolution only the outcome we are in now.

Here we go:

Casey started the meeting by asking all of us if we know what the chain of command here and how that works with Lincare? Everyone said yes, but then she brought out the email and addressed Adele on why she did not bring it to her attention or even discuss with Patricia and myself what happened with the hospital discharges. Ms. Adele just stated she felt comfortable enough to go to Mr. Potter instead and get his opinion on what she should do to get better communication on when to know when she has discharges. (In my head I'm asking myself why she even sent that to Mr. Potter because the discharge patient she was talking about **R** I am the one who was discussing that patient with her and informed her we are not in network with her insurance. Which she did have 2 discharge that day of that discharge which was on 6/17/2019 and she had Brittany come in and ask me about it and I informed her it was cancelled this one was for **Redacte** . From my knowledge I thought this was communication as well.)

: PRIVATE HEALTHCARE SYSTEMS (Not In Network)

- **Plan ID:** AS-PRHCS
- **Policy #:** **Redacted**
- **Group #:** ---
- **Subscriber:** **Redacted**

That is when Patricia started speaking to Adele and pretty much let her know how she felt and she felt betrayed because we all thought we were on better communication skills, but instead of Adele answering for herself Ms. Brittany kept answering and telling lies on everything we do and don't do.

This is where I come in because she basically said we office staff don't do anything or process orders or that we are out to get them. When someone lies on my integrity or on my character that doesn't sit well with me. Especially when I can honestly say I am the one Representative who does help or if they have a question I answer it, if I don't know the answer I will get the answer, if they text me needing something I respond. So when I was talking and letting both of them Adele and Brittany know that I didn't appreciate that because like I mentioned above I AM THE ONE WHO DOES HELP ITS MY JOB. She said I don't think you guys know what Adele and I do.... so I told her to be honest we have no idea what you do, you're never in the office you DON'T bring in orders, when you are in the office you ask if we have anything for you when in reality I should be asking if you have anything for me.

THEN... this is where the meeting didn't go as planned...

Brittany cuts me off and says OH AND BY THE WAY YOU USED THE "N" WORD I BELIEVE 2 TIMES NOW. (not during this meeting or NEVER even towards her AT ALLLL she over heard me both times chatting with our RT and he had delivered something or whatever it was and my response to the RT was "My nigga you're the best" Which I totally own up to that even if my RT and I speak that way I shouldn't do it at work but I honestly didn't know she was offended because during this meeting was the first time it was brought to my attention. If I would have known or I just know I wouldn't be saying it if it offended one of my coworkers or colleges. I tried to explain I have black people in my family; my uncle my cousins.) I told her I'm sorry if I offended you I will not say it at all in your presence and.. she cuts me off again and says NO YOU'RE GOING TO STOP SAYING IT IN GENERAL!! This is where I say BITCH you are not going to tell me what I can and cannot say outside of work that's freedom of speech. I then said what you going to take me to court? I then got up from my chair and walked out of the building.

I did text Ms Brittany about 5 minutes after I walked out. I apologized for calling her a bitch during the meeting because that was the ONLY time I have ever disrespected her other than saying the N word and it offending her without my knowledge. I cant apologize or correct something with no communication. This meeting was not the time or place for that conversation, she should have brought it to my attention way before it ever got to this.

And now we are here.

I haven't called because my anxiety gets high and then when I start talking to you I will start crying because this situation really bothers me and you probably won't understand me or I won't make sense. I just feel writing it out you will understand better. Never have I ever felt the way I do now, pretty much feel like a racist. Like I stated above I have black people in my family, my daughter and husband are Asian.

From: Lichtenberg, Juanita (jlichten)
Sent: Friday, June 21, 2019 1:27 PM
To: Torres, Anicia (ATorres7)
Subject: RE: Re: Confidential Conversation

That would be fine.

Thank you,

Juanita Lichtenberg
HR Business Partner

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jlichten@lincare.com, www.lincare.com



From: Torres, Anicia (ATorres7)
Sent: Friday, June 21, 2019 2:25 PM
To: Lichtenberg, Juanita (jlichten) <JLichten@LINCARE.com>
Subject: RE: Re: Confidential Conversation

Absolutely. Once the other CSR returns from lunch I will give you a call, if that is fine?

From: Lichtenberg, Juanita (jlichten)
Sent: Friday, June 21, 2019 12:02 PM
To: Torres, Anicia (ATorres7)
Subject: Re: Confidential Conversation

Anicia, can you please call me today when you have a few minutes to talk privately?

Thank you,

Juanita Lichtenberg
HR Business Partner

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Request Details		Time Statistics	
Ref#	2791905	Time Logged	6/20/2019 3:05 PM
Title	Office Dispute - Austin TX HR ticket # 2791795	Time Closed	6/25/2019 7:55 AM
Status	Closed	Time in Dispatch	3 minutes 35 seconds
Location	Human Resources\Employee Relations\Inbox\Lichtenberg, Juanita (jlichten)	Time in Queue	4 days 16 hours 46 minutes 18 seconds
Responsibility	Lichtenberg, Juanita (jlichten)	Time Active	4 days 16 hours 49 minutes 53 seconds
Wait State	ASAP	Time Opened	4 days 16 hours 49 minutes 53 seconds
Request Type	Human Resources	Cost Statistics	
Urgency	High	Total Time Code 1	43 minutes 13 seconds
Priority	Base: Medium Current: Medium	Total Worked	1 hour 8 minutes 53 seconds
Category	Employee Relations\HR Investigations\Coaching Managers	Total Cost	\$0.00
Requester Details		Total Charges	\$0.00

Requester	Greenway, Casey (CGreenwa)
Email	CGreenwa@secure.lincare.com
Phone	(512) 836-1703 / AUSTIN
Organizational Unit	AUSTIN_TX
Lichtenberg, Juanita (jlichten) - CLEARWATER_FL (HQ)	Logged on: 6/25/2019 7:55 AM

- Request CLOSED
- Time worked 23 seconds on 6/25/2019 7:55 AM

Lichtenberg, Juanita (jlichten) - CLEARWATER_FL (HQ) Logged on: 6/25/2019 7:54 AM

- Email submitted to Human Resources Support on 6/25/2019 7:54:23 AM has been sent to Greenway, Casey (CGreenwa) (CGreenwa@secure.lincare.com); Fakiolas, Emily (EFakiola) (efakiola@lincare.com); Potter, Michael (MPotter1) (MPotter1@lincare.com) at 6/25/2019 7:54:27 AM

From: Human Resources Support <HumanResources1@lincare.com>
To: Greenway, Casey (CGreenwa) <CGreenwa@secure.lincare.com>
CC: Potter, Michael (MPotter1) <MPotter1@lincare.com>; Fakiolas, Emily (EFakiola) <efakiola@lincare.com>
Subject: Human Resources Support - Request Office Dispute - Austin TX HR ticket # 2791795 - Ref: # 2791905 #
Sent: 6/25/2019 7:54 AM

Casey, after concluding my investigation I have completed a warning for both sue and Anicia. I have done final warnings as I don't feel you can allow an employee to call a co-worker an offensive name under any circumstances. The N word must also be removed from Anicia's vocabulary when she is in the office. While she may be using it in a way she feels is not offensive, others feel differently. You can make sure they know that this is not a reflection of their work performance, attendance or any other part of their employment, only the way they reacted when they did not like the way a situation was going. I would also recommend you call Brittany and Ellie into the office individually and discuss with them the proper protocol when reporting an issue they are having in the office. When you feel it is time to address their sales performance, let us know and we will prepare warnings for you.

Please let me know if you have any questions or concerns before presenting it to them.

1 / 3

Thank you,

CONFIDENTIAL / ATTORNEY CLIENT PRIVILEGED

Juanita Lichtenberg
HR Business Partner

Ph: 727-431-8228

Lichtenberg, Juanita (jlichten) - CLEARWATER_FL (HQ) Logged on: 6/25/2019 7:40 AM

- Attached document anicia Torres statement2.pdf

Lichtenberg, Juanita (jlichten) - CLEARWATER_FL (HQ) Logged on: 6/25/2019 7:40 AM

- Attached document anicia Torres statement.pdf

Lichtenberg, Juanita (jlichten) - CLEARWATER_FL (HQ) Logged on: 6/25/2019 7:40 AM

- Attached document Adele Boyd - Statement.pdf

Lichtenberg, Juanita (jlichten) - CLEARWATER_FL (HQ) Logged on: 6/21/2019 1:06 PM

- Attached document Patricia Sue Ruiz Statement.pdf

Lichtenberg, Juanita (jlichten) - CLEARWATER_FL (HQ) Logged on: 6/21/2019 12:51 PM

- Attached document Patricia Sue Ruiz interview.docx

Lichtenberg, Juanita (jlichten) - CLEARWATER_FL (HQ) Logged on: 6/21/2019 12:51 PM

- Attached document Adele Boyd interveiw.docx

Lichtenberg, Juanita (jlichten) - CLEARWATER_FL (HQ) Logged on: 6/20/2019 5:07 PM

- Time worked 9 minutes 28 seconds on 6/20/2019 4:57 PM

I spoke to CM Casey Greenway and she told basically the same story that Brittany did except that Brittany herself stirs up a lot of drama. She has been asked to leave the office before when she got upset. I am going to reach out to the other 3 employees that were involved and get their statements. I will then get back to Casey with my recommendation. I told her I thought a FWW for both Csr's

Lichtenberg, Juanita (jlichten) - CLEARWATER_FL (HQ) Logged on: 6/20/2019 4:05 PM

- Time worked 27 minutes 47 seconds on 6/20/2019 3:37 PM

The email they were accusing the CSR's not telling them about orders. No one even brought it up to me. I was in the dark then too. The ones in question, one was out of network and one was homeless, valid reasons. Some tension between CSR's and Sales. They do give the tickets to the Sales Reps and it doesn't come back. I wanted a meeting with all there and then no he said/she said. This time one of them was agitated and it was an attack. They were upset someone accused them of not doing their job.

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The issue was between Adele and the CSR's but Brittany was there because she is in sales too.

They were too charged up, the conversation escalated quickly, then Brittany chimed in and we had another CSR who uses the N word. She uses it as a slang word. Now it will not happen again. I have a lot of personalities and this one is one that if you tell them what to do, she fired up. I told them it stops now and if you have a problem you need to bring it to me.

Brittany said don't say it at all and Bitch you don't tell me what to do. She told them to stop then and it did. We have had problems with personalities since December. ding. The sales Rep are not meeting their numbers.

Brittany leads Adele, but Anicia and Patricia (Sue) have a strong personality. Brittany has strong personality.

Did Brittany use any vulgar language? No, not that I heard.

Lichtenberg, Juanita (jlichten) - CLEARWATER_FL (HQ) Logged on: 6/20/2019 3:36 PM

- Title changed from [office dispute with connection HR ticket # 2791795] to [Office Dispute - Austin TX HR ticket # 2791795] - Service request type changed from [Generic Service Request] to [Human Resources]
- Time worked 2 minutes 40 seconds on 6/20/2019 3:33 PM

Lichtenberg, Juanita (jlichten) - CLEARWATER_FL (HQ) Logged on: 6/20/2019 3:35 PM

- Request #2791795 has been merged to this project

Gabriel, Yvonne (YGabriel) - UNASSIGNED Logged on: 6/20/2019 3:09 PM

- Title changed from [office dispute] to [office dispute with connection HR ticket # 2791795] - Forwarded to QUEUE: Human Resources\Employee Relations\Inbox\Lichtenberg, Juanita (jlichten) - Category set to [Human Resources\Employee Relations\HR Investigations\Coaching Managers] - Priority set to [Medium] - Urgency changed from [Medium] to [High] - Responsibility assigned to [Lichtenberg, Juanita (jlichten)]
- Time worked 2 minutes 55 seconds on 6/20/2019 3:06 PM

Please review with HR ticket # 3781785

StarWatch - Lincare, Inc Logged on: 6/20/2019 3:05 PM

- Request logged via e-mail [HumanResourcesSupport - HumanResources1@lincare.com] on 20-Jun-19 03:05 PM (20-Jun-19 07:05 PM - GMT) - Forwarded to DISPATCH: Human Resources\Human Resources Support Dispatch - Email NONE Selected

This morning around 11am we had a meeting with 2 of the csrs and the two sales reps to discuss an email where the csrs were accused of not informing the sales reps of orders. The meeting quickly got heated and got out of hand. I am needing some guidance on how to proceed to handle the situation. Please email or call me at 5129995007.

Thank you in advance for your help. ☺

Casey Greenway
Center Manager – Austin, TX Lincare

Request Details		Time Statistics	
Ref#	2791795	Time Logged	6/20/2019 2:25 PM
Title	Brittany Hudson -Austin TX complaint of racial slur during team meeting	Time Closed	6/25/2019 7:55 AM
Status	Closed	Time in Dispatch	4 minutes 1 second
Location	Human Resources\Employee Relations\Inbox\Lichtenberg, Juanita (jlichten)	Time in Queue	4 days 17 hours 25 minutes 58 seconds
Responsibility	Lichtenberg, Juanita (jlichten)	Time Active	4 days 17 hours 29 minutes 59 seconds
Wait State	ASAP	Time Opened	4 days 17 hours 29 minutes 59 seconds
Request Type	Human Resources	Cost Statistics	
Urgency	High	Total Time Code 1	36 minutes 52 seconds
Priority	Base: Medium Current: Medium	Total Worked	51 minutes 22 seconds
Category	Employee Relations\HR Investigations\Harassment/Discrimination/ADA/Retaliation	Total Cost	\$0.00
Requester Details		Total Charges	\$0.00
Requester	Hudson, Brittany (BHudson1)		
Email	BHudson1@secure.lincare.com		
Phone	(512) 836-1703		
Organizational Unit	AUSTIN_TX		
Lichtenberg, Juanita (jlichten) - CLEARWATER_FL (HQ)		Logged on:	6/25/2019 7:55 AM
- Request CLOSED			
Lichtenberg, Juanita (jlichten) - CLEARWATER_FL (HQ)		Logged on:	6/25/2019 7:35 AM
- Title changed from [Brittany Hudson is called a racial slur during team meeting] to [Brittany Hudson -Austin TX complaint of racial slur during team meeting]			
- Time worked 1 minute 48 seconds on 6/25/2019 7:33 AM			
I spoke to Brittany 6/24 and let her know while she would not know the outcome of the investigation, I could tell her that it should not ever happen again and if she feels it does or she feels she is retaliated in any way, she should speak to me immediately.			
Lichtenberg, Juanita (jlichten) - CLEARWATER_FL (HQ)		Logged on:	6/20/2019 3:37 PM
- Time worked 1 minute 6 seconds on 6/20/2019 3:36 PM			
I let Brittany know that I would investigate the situation. I told her about the anti retaliation policy and let her know if anyone retaliated against her to let me know. I told her I would get back to her after the investigation was concluded but she would not necessarily know the outcome.			
Lichtenberg, Juanita (jlichten) - CLEARWATER_FL (HQ)		Logged on:	6/20/2019 3:35 PM
- This request has been merged to project request #2791905			
Lichtenberg, Juanita (jlichten) - CLEARWATER_FL (HQ)		Logged on:	6/20/2019 3:33 PM
- Time worked 29 minutes 14 seconds on 6/20/2019 3:03 PM	CONFIDENTIAL / ATTORNEY CLIENT PRIVILEGED		

Adele Boyd (Sales Rep)sent email to Mike Potter, she stated Mike no one informed me of this hospital order, 2nd one missed in 48 hours because of lack of communication. He sent an email back to Adelle and CM,. Casey Greenway saying I need more details why missing info, what happened with first order? They had a meeting today about it. Patricia Ruiz (CSR) called Adele a Bitch. She was upset and felt betrayed by Adele. She was upset with the situation and when she gets mad she pops off at the mouth. The manager said okay we need to respect each other. I said you don't need to talk about others like this. The word shit was used. Anicia said no Brittany every time I give you paperwork you never bring them back. I told her I can't bring them in like that anymore they have to be faxed to the CDR. I also said I would like you to use the N word in the office. Anicia said I will use the N word when you are not here. If you want to sue me go ahead take me to court and she stormed out. That is why you transfer everywhere, because you have had problems with everyone. The manager was there ,heard it and said nothing. It is not okay 2nd meeting where me and Adele have been involved.

Anicia called Brittany a B.
Patricia called Adele a B.

Lichtenberg, Juanita (jlichten) - CLEARWATER_FL (HQ)	Logged on: 6/20/2019 3:03 PM
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- Requester changed from [Gabriel, Yvonne (YGabriel)] to [Hudson, Brittany (BHudson1)] - Service request type changed from [Generic Service Request] to [Human Resources]
- Time worked 3 minutes 48 seconds on 6/20/2019 2:59 PM

Gabriel, Yvonne (YGabriel) - UNASSIGNED	Logged on: 6/20/2019 2:29 PM
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- Forwarded to QUEUE: Human Resources\Employee Relations\Inbox\Lichtenberg, Juanita (jlichten) - Category set to [Human Resources\Employee Relations \HR Investigations\Harassment/Discrimination/ADA/Retaliation] - Priority set to [Medium] - Urgency changed from [Medium] to [High] - Responsibility assigned to [Lichtenberg, Juanita (jlichten)]
- Time worked 56 seconds on 6/20/2019 2:28 PM

StarWatch - Lincare, Inc	Logged on: 6/20/2019 2:25 PM
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- Request logged via e-mail [HumanResourcesSupport - HumanResources1@lincare.com] on 20-Jun-19 02:25 PM (20-Jun-19 06:25 PM - GMT) - Forwarded to DISPATCH: Human Resources\Human Resources Support Dispatch - Email NONE Selected

Brittany Hudson p. 503-407-2159 in Austin, TX. In the meeting today the customer service rep called her the N**ger and B**ch repeatedly during the meeting. The manager Casey Greenway did not try to redirect the CSR from calling her these names during the meeting. She is requesting that someone in HR look into this matter. This was not the first time that a CRS and the Manager have heard these words begin used during a team meeting.

Yvonne Gabriel
Human Resources Manager

Lincare
Phone +727.538-1350, Fax +727.431-9965
YGabriel@secure.lincare.com, www.lincare.com



Update Request

LOCKED / View

Create Solution

Activity Stream Request Properties Documents Communications

Lichtenberg, Jennifer (Lichten) — CLEARWATER,FL (HQ)

Logged On: 8/9/2019 11:32:20 AM

Workflow
- Time Worked: 8 mins 31 secs Worked on Fri, 8/9/2019

Memo (Update)
I let Brittany know that the situation that occurred by Patricia Ruiz occurred prior to the issue being addressed when she called her a B.

Shen I received the attached email on 8/9, I called Brittany immediately 503-407-2159. to find out what continued behaviors had been happening. She said they would make comments in passing and even in MMM. Patricia would say "I am a bitch" when walking by Brittany, snide comments like that. She said it was a very negative environment and she could no longer work there. I let her know I was unaware this had continued and I would like her to put a statement together and send me because whether she is here or not, we will look into it. She said I just cannot work there anymore.

I called Mike Potter as he was cc'd on the email and he told me he had been having continued issues with Brittany and had put her on the line. She has not entered anything in Sales force for the past 8 weeks. He has been on her and she would say "Yes Mr Potter, I will get to it". She recently told him she had trouble with her I phone but he told her he had an email from her that she had previously gotten that issue resolved. He had a call with her yesterday and told her if she didn't get this by Friday - 8/9, it would result in formal corrective action. She assured him she would get the calls in by today. He said he would run the report again this afternoon (fri - 8/9).

He has requested her MOTUS information for the past 90 days as her whereabouts are at times in question. Her family has a restaurant in another town and they feel she is going there throughout the day. I will also request the motus report from Ryan Corl and call Casey Greenway and other staff members to determine what is going on in the center.

Lichtenberg, Jennifer (Lichten) — CLEARWATER,FL (HQ)

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EdieeJen (jenniferted) — CHARTERED LLC
Logged On: 7/8/2019 11:42:58 AM

Workflow

- Time Worked: 11 mins 30 secs Worked on Mon, 7/8/2019

Memo (Update)

Conversation with Scott Gove - Monday 7/8/19 - I let him know that I had been informed he had made a comment regarding Brittany Hudson, calling her "aunt Jemima". He said yes, last week I overheard another employee, Patricia, refer to Brittany as Aunt Jemima. The Fed Ex person was coming in the back door and he also heard it. He is african american. I told her that is not appropriate; you should not be saying that. I could see that the Fed Ex guy was disturbed by it too.

Then Brittany asked me if there had been any comments in the office lately and I told her and also told her that others had heard it. I asked Scott what context she said it in. He said it was regarding some paperwork that Brittany was to bring back and she said "That Aunt Jemima never brings it back correctly". I let her know that was not appropriate and she said she was just kidding. I'm not sure why she talks like this, she has grandchildren that are mixed race.

I then requested Scott to please put his statement in an email to me and also to keep our conversation confidential. I let him know his name would not be used in anything I was creating.

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DEF 0532

Log On: 7/8/2019 10:37:41 AM

Workflow

- Email submitted to Human Resources Support on 7/8/2019 10:37:40 AM has been sent to Hudson, Brittany (BHudson1) (BHudson1@secure.lincare.com) at 7/8/2019 10:38:28 AM

Memo (Update)

From: Human Resources Support
To: Hudson, Brittany (BHudson1)
Subject: Human Resources Support - Request FW: ::EXTERNAL:: Another situation - Ref: # 2809871 #
Sent: 7/8/2019 10:37 AM

Brittany, I am looking into this issue this morning.
Thank you...
Click for details...

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DEF 0533

From: Brittany Hudson [mailto:brittany2hudson@gmail.com]
Sent: Friday, July 05, 2019 10:46 AM
To: Lichtenberg, Juanita (jlichten) <lichten@LINCARE.com>
Subject: ::EXTERNAL:: Another situation

*** Please note the message below originated on the Internet. Please use caution when replying or opening links or attachments. ***
Hello,

I want to report that it was brought to my attention that the CSR Patricia Ruiz, is referring to me as Aunt Jemima in the office. This was overheard by the Fed ex delivery man, who is African American himself and it really disturbed him. The RT, Scott, who heard this was disturbed and told her, it's not appropriate to talk like that. She just laughed it off and kept texting on her phone.

This is really traumatizing, emotionally stressful, and disturbing for my coworker to reference me in this way. I'm not sure how to handle this so I wanted to report it to HR.

Thanks,

Brittany

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DEF 0534

Lichtenberg, Juanita (jlichten)

From: Potter, Michael (MPotter1)
Sent: Friday, August 09, 2019 11:51 AM
To: Lichtenberg, Juanita (jlichten)
Subject: RE: Notice of leave
Attachments: Hudson SF August.xlsx

Brittany Hudson has logged no sales calls since early July. Attached report is for August.

Over the past several weeks Brittany was sending me a text at the end of every day letting me know how many calls were completed for the day and how many set ups. I run reports periodically to check calls throughout the week. On several occasions I contacted Brittany via text or phone and told her she was not logging calls and to complete. She indicated she was having phone issues on one of the calls and stated she would log them on the PC. (They were not completed). On Friday 8/2 we spoke again and she stated she would have them logged before end of business. (They again were not completed). On 8/8 I ran a report and called Brittany and stated there were still no calls logged. She stated she was aware and said she would complete. I told her that for the last few weeks she had been telling me the same thing and I was looking for a commitment she was going to get them done. She stated she understood and would have them completed before the end of business. I stressed to her that if calls were not updated I would be forced to put in a formal action plan. She stated she understood; however she did not seem concerned.

I then addressed an outstanding balance on the AMEX card. I asked if she was behind on expense reports and she said yes. I then asked if any of the expenses were personal and she said yes there was some fuel charges. I told her to get her reports completed and her AMEX also need to be caught up and current. She again agreed.

On 8/8 after the call with Brittany I requested from Ryan Corl a copy of Brittany's Motus report to see where she is spending her time since I have no sales calls logged to view. (report is still pending).

On 8/8 at 7:30 pm is had still not received a daily update from Brittany on Sale Calls and setups and I sent a text asking if any calls were completed. She responded with in 15 minutes with 15 calls and an INR. I congratulated her on the INR.

8/9 Received Brittany's resignation.

From: Lichtenberg, Juanita (jlichten)
Sent: Friday, August 09, 2019 9:10 AM
To: Potter, Michael (MPotter1) <MPotter1@lincare.com>
Subject: RE: Notice of leave

Mike, can you please call me when you have a minute?

Juanita Lichtenberg
HR Business Partner



Lincare
Phone +727.431.8228, Fax +727.524.8733
jlichten@lincare.com, www.lincare.com

From: Hudson, Brittany (BHudson1)
Sent: Friday, August 09, 2019 9:46 AM
To: Lichtenberg, Juanita (jlichten) <JLichten@LINCARE.com>

Cc: Mike Potter (AHOM) <Mike.Potter@ahom.com>; Greenway, Casey (CGreenwa) <CGreenwa@secure.lincare.com>
Subject: Notice of leave

On June 21, 2019, I made a formal complaint to Human Resources about racial discrimination and harassment that I experienced. On **July 2, 2019** and July 5, 2019 I made another complaint to Human Resources about racial discrimination and harassment I experienced. Despite my complaints, this harassment has continued. The harassment and hostile work environment has made it impossible for me to work here, and perform my job duties. The harassment and hostile work environment has caused me anxiety, stress, and depression and has forced me to seek counseling.

As a result, today is my last day in the Austin, Texas office. Per company guidelines I'm supposed to receive my commissions up to 30 days after I leave the company. Today, August 9, will be my last day. Please forward my commissions (Bhudson1 commission account) and check for the next 2 sale cycles which equal 30 days to My address on file.

Brittany Hudson

Lichtenberg, Juanita (jlichten)

From: Hudson, Brittany (BHudson1)
Sent: Friday, August 09, 2019 9:46 AM
To: Lichtenberg, Juanita (jlichten)
Cc: Mike Potter (AHOM); Greenway, Casey (CGreenwa)
Subject: Notice of leave

On June 21, 2019, I made a formal complaint to Human Resources about racial discrimination and harassment that I experienced. On **July 2, 2019** and July 5, 2019 I made another complaint to Human Resources about racial discrimination and harassment I experienced. Despite my complaints, this harassment has continued. The harassment and hostile work environment has made it impossible for me to work here, and perform my job duties. The harassment and hostile work environment has caused me anxiety, stress, and depression and has forced me to seek counseling.

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Brittany Hudson